

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature First Regular Session - 2011

IN THE SENATE

SENATE BILL NO. 1210

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHWAYS AND BRIDGES; AMENDING SECTION 40-315, IDAHO CODE, TO  
REVISE PROVISIONS RELATING TO FEDERALLY-FUNDED TRANSPORTATION PROJECT  
FINANCING AND TO PROVIDE FOR A BRIDGE SAFETY PROGRAM.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-315, Idaho Code, be, and the same is hereby  
amended to read as follows:

40-315. POWERS AND DUTIES -- FEDERALLY-FUNDED HIGHWAY PROJECT FINANC-  
ING. (1) In order to address the increasing need for timely improvements to  
Idaho's highway transportation infrastructure, the board may:

(a) Enter into agreements with the Idaho housing and finance associa-  
tion in connection with the funding of highway transportation projects  
qualifying for reimbursement from federal funds.

(b) Approve and recommend federal highway transportation projects to  
the Idaho housing and finance association for financing by the associ-  
ation. Such federal highway transportation projects shall be eligible  
for federal-aid debt financing under chapter 1, title 23, United States  
Code, and approval by the federal highway administration as an advanced  
construction (AC) project thereunder. The board shall select and des-  
ignate such transportation projects to be funded with bond proceeds  
from the following list of eligible projects:

ROUTE	PROJECT DESCRIPTION
<del>US-95</del>	<del>SH-1 to Canadian border</del>
US-95	Garwood to Sagle
US-95	Worley to Setters
<del>US-95</del>	<del>Thorn Creek to Moscow</del>
<del>US-95</del>	<del>Smokey Boulder to Hazard Creek</del>
<del>SH-16 Ext</del>	<del>South Emmett to Mesa with connection to SH-55</del>
SH-16 Ext	I-84 to South Emmett
I-84	Caldwell to Meridian
I-84	Orchard to Isaacs Canyon
<del>US-93</del>	<del>Twin Falls alternate route and new Snake River crossing</del>
SH-75	Timmerman to Ketchum
<del>US-20</del>	<del>St. Anthony to Ashton</del>

US-30 McCammon to Soda Springs

Statewide Bridge safety program prioritized by the  
board based upon bridge condition, age, route  
average daily traffic and restrictions  
due to width, height or load limits

(c) On and after July 1, 2008, all allocations of GARVEE bond proceeds shall be the sole responsibility and duty of the Idaho transportation board. The legislature shall have authority to approve a total GARVEE bond amount on an annual basis. However, the Idaho transportation board is directed to allocate bond revenue only among the projects listed in subsection (1) (b) of this section. In making its funding allocation for projects, the board shall take into consideration: the cost of the project and whether or not that project could be financed without bonding; whether the project is necessary to facilitate the traffic flow on vital transportation corridors; and whether the project is necessary to improve safety for the traveling public. On and after July 1, 2008, the board shall use due care in selecting projects for bonding and shall balance and coordinate the use of bonding with the use of highway construction moneys.

Notwithstanding the provisions of subsection (1) (b) of this section wherein eligible projects are listed for selection and designation by the board, if any of the designated projects are deemed to be ineligible by the board, the board shall have the authority to replace those projects with other projects listed in subsection (1) (b) of this section.

(2) Prior to issuance by the Idaho housing and finance association of any bonds or notes to finance highway transportation projects, the board shall certify to the association that sufficient federal transportation funds are available to make any payments required for such bonds or notes.

(3) The board shall limit annual, total cumulative debt service and other bond-related expenses as follows:

~~(a) In the 2006 legislative session for the fiscal year 2007 budget, total cumulative debt service and other bond-related expenses on federally-funded highway project financing shall be no more than twenty percent (20%) of annual federal-aid highway apportionments.~~

~~(b) In the 2007 legislative session for the fiscal year 2008 budget, total cumulative debt service and other bond-related expenses on federally-funded highway project financing shall be no more than twenty percent (20%) of annual federal-aid highway apportionments.~~

~~(c) In the 2008 legislative session for the fiscal year 2009 budget, total cumulative debt service and other bond-related expenses on federally-funded highway project financing shall be no more than twenty percent (20%) of annual federal-aid highway apportionments.~~

~~(d) In the 2009 legislative session for the fiscal year 2010 budget, total cumulative debt service and other bond-related expenses on federally-funded highway project financing shall be no more than twenty percent (20%) of annual federal-aid highway apportionments.~~

1     ~~(e) In the 2010 legislative session for the fiscal year 2011 budget, to-~~  
2     ~~tal cumulative debt service and other bond-related expenses on feder-~~  
3     ~~ally-funded highway project financing shall be to~~ no more than thirty  
4     percent (30%) of annual federal-aid highway apportionments.

5     ~~(f) Beginning with the 2011 legislative session for the fiscal year~~  
6     ~~2012 budget, or for any year thereafter, the thirty percent (30%) limit~~  
7     ~~may be exceeded, but only by affirmative action of both the house of~~  
8     ~~representatives and the senate, and with the approval of the governor.~~

9     (4) In the event the board selects and designates to be funded with bond  
10    proceeds any of the transportation projects listed in subsection (1) of this  
11    section, and prior to entering into agreements with the Idaho housing and fi-  
12    nance association as provided herein, the Idaho transportation department,  
13    as part of its annual budget request prepared pursuant to section 67-3502,  
14    Idaho Code, shall include a request for bonding authority as a separate item  
15    of its budget request. This request for bonding authority shall include a  
16    list of planned highway transportation projects to be financed with such  
17    bond financing during the next succeeding fiscal year.

18    (5) By ~~June~~ September 30 of each year, the board shall submit a report to  
19    the legislature concerning projects currently under construction using the  
20    bond financing as authorized by the provisions of this section, and shall in-  
21    clude a list of planned highway transportation projects to be financed with  
22    such bond financing during the next succeeding fiscal year.